IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 19TH NOVEMBER 2007 / 28TH KARTHIKA 1929

WP(C).No. 33954 of 2007(P)

PETITIONER:

DHANU UNNIKRISHNAN (MINOR),
S/O. E.B.UNNIKRISHNAN, AGED 13 YEARS,
CAPTAIN OF SCIENCE DRAMA GROUP, KERALA AGRL.
UNIVERSITY HIGH SCHOOL, VELLANIKKARA, THRISSUR,
REP. BY HIS FATHER E.B.UNNIKRISHNAN, EDATHARA (H),
MULAYAM, AYYAPPANKAVU, THRISSUR-680 751.

BY ADV. SRI.C.A.CHACKO
SMT.C.M.CHARISMA
SRI.N.A.SHAFEEK

RESPONDENTS:

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1. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM.

2. THE GENERAL CONVENER,
STATE LEVEL SASTRA NADAKA MALSARAM, THODUPUZHA.

3. THE DEPUTY DIRECTOR OF EDUCATION,
THODUPUZHA, IDUKKI DISTRICT.

4. THE GENERAL CONVENER,
ZONAL SASTRA NADAKA MALSARAM, NIRMALA HIGHER
SECONDARY SCHOOL, ALUVA.

5. THE DEPUTY DIRECTOR OF EDUCATION,
ERNAKULAM DISTRICT.

BY GOVERNMENT PLEADER SRI. I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J

W.P.(C).33954/2007

Dated this the 19th day of November, 2007

JUDGMENT

This writ petition has been filed for a direction to the second respondent to permit the petitioner's team to participate in the State Level Sastra Nadaka Malsaram scheduled to be held on 20.11.2007. There is a further prayer for a declaration that they are entitled to participate in the State Level meet.

2. Petitioner participated in the Eranakulam-Thrichur Zonal Level Sastra Nadaka Malsaram in which, for science drama, they were given second prize and first prize was awarded to a team from Our Lady of Hope Anglo Indian High School, Vypin, which has not been impleaded in this writ petition. The contention now raised is that the judgment of the judges, who has assessed their performance, was erroneous.

3. Learned Government Pleader on instructions, submits that well qualified person were appointed as

judges and all these judges were unanimous in giving first prize to the first prize winner and the difference between the petitioner and the first prize winner is by 19 marks.

4. From the submissions made as above, it is evident that competent persons were appointed as judges and all those judges were unanimous in their judgment. In the absence of any strong grounds this Court will not be justified in upsetting the judgment of these Judges. The petitioner has not produced any material to suggest that the judges were incompetent and that their judgment was wrong for any reason.

5. Petitioner submits that an appeal was filed against the decision of the judges and that same has not been considered. It is pointed out that there is no provision for an appeal. If that be so, the petitioner cannot seek a direction for considering the appeal filed by them.

6. According to the petitioner from the District Level, candidates appear for the State meet and from the State meet candidates are send for National meet and that there is no provision for holding a Zonal Level meet. In my view, after having participated in the competition on realising that they have lost, it is not open to the petitioner to raise this plea.

Writ petition fails and the same is dismissed.

ANTONY DOMINIC
Judge

mrcs